



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,309	06/27/2003	Tal Mor	CM03279J	8932
22917	7590	08/27/2004	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			TRAN, THUY V	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/608,309	Applicant(s) MOR ET AL.	
	Examiner Thuy V. Tran	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 10-12, 15, 17-18 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 9, 13, 14, 16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/13/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>June 27th, 2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a response to the Applicants' filing on June 27th, 2003. In virtue of this filing, claims 1-20 are currently presented in the instant application.

Inventorship

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Drawings Objection

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "light sensor" claimed in claims 6-7, 13-14, and 19-20 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

Art Unit: 2821

be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections/ Minor Informalities

3. Claims 1, 5, 7-9, 11-15, and 18-20 are objected to because of the following informalities:

Claim 1, line 4, "the" should be deleted;

Claim 1, line 3, "a" should be changed to --the--;

Claim 1, line 5, "to be" should be deleted;

Claim 5, line 5, "the" (first occurrence) should be changed to --an--;

Claim 7, line 6, "the" (third occurrence) should be changed to --an--;

Claim 8, line 3, "that is capable of" should be changed to --for--;

Claim 8, line 5, "a" should be deleted;

Claim 8, line 6, "the" (first occurrence) should be changed to --a--;

Claim 8, line 6, "to be" should be deleted;

Claim 9, line 6, "the" (third occurrence) should be changed to --a--;

Claim 11, line 2, "a" (second occurrence) should be changed to --the--;

Claim 12, line 4, "the" (first occurrence) should be changed to --an--;

Claim 13, line 6, "a" should be deleted;

Art Unit: 2821

Claim 14, line 6, "--the--" should be inserted between "terminates" and "illumination";

Claim 14, line 7, "the" (first occurrence) should be changed to --an--;

Claim 15, line 3, "that is capable of" should be changed to --for--;

Claim 15, line 5, "a" should be deleted;

Claim 15, line 6, "the" (first occurrence) should be changed to --a--;

Claim 15, line 6, "to be" should be deleted;

Claim 18, line 4, "the" (second occurrence) should be changed to --an--;

Claim 19, line 6, "a" should be deleted; and

Claim 20, line 7, "the" (first occurrence) should be changed to --an--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-5, 8, 10-12, 15, and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Brenner et al. (Pub. No.: US 2004/0139842 A1).

With respect to claim 1, Brenner et al. discloses, in Fig. 3, an apparatus and a corresponding method, for controlling an illumination of a display screen [104] in a portable wireless communication device [300], comprising (1) illuminating (via light sources [L_1, \dots, L_N]) the display screen [104], (2) determining relative start times and relative end times (or “at least one illumination time parameter” as claimed) (see paragraph [0029], lines 1-4; page 5, left column, line 6), and (3) maintaining the illumination of the display screen for a period of time that is based on the relative start times and relative end times (or “the at least one illumination time parameter” as claimed).

With respect to claim 2, Brenner et al. inherently discloses, in paragraph [0029], lines 1-5 and paragraph [0030], lines 4-8, that maintaining the illumination of the display screen for a period of time comprises (1) determining a time value based on the at least one illumination time parameter, (2) decrementing the time value to produce a remaining time value, and (3) terminating the illumination of the display screen when the remaining time value no longer exceeds zero,

With respect to claim 3, Brenner et al. discloses that determining at least one illumination time parameter comprises determining a plurality of illumination time parameters (which includes the relative start times and relative end times; see paragraph [0029], lines 1-4; page 5, left column, line 6), and wherein an illumination time parameter of the plurality of illumination time parameters comprises a time constant (which is a length of the message or duration of the illumination; see paragraph [0029], lines 1-4).

With respect to claim 4, Brenner et al. discloses that the illumination time parameter comprises a length of a message (see paragraph [0029], lines 1-4).

With respect to claim 5, Brenner et al. inherently discloses, in paragraph [0029], lines 1-5 and paragraph [0030], lines 4-8, that the method further comprising (1) when the display screen is illuminated, receiving an instruction to terminate the illumination of the display screen, and (2) in response to receiving the instruction, terminating the illumination of the display screen prior to an expiration of the period of time.

With respect to claim 8, Brenner et al. discloses, in Fig. 3, an apparatus for controlling an illumination of a display screen [104] in a portable wireless communication device [300], comprising (1) a light source [L_1, \dots, L_N] for illuminating the display screen [104], and (2) a processor [302, 324, 328] coupled to the light source [L_1, \dots, L_N] that (i) couples power [V^+] to the light source [L_1, \dots, L_N] to illuminate the display screen [104], (ii) determines relative start times and relative end times (or “at least one illumination time parameter” as claimed) (see paragraph [0029], lines 1-4; page 5, left column, line 6) corresponding to a message displayed on the display screen [104], and (iii) maintains a coupling of power (from [V^+]) to the light source for a period of time that is based on the relative start times and relative end times (or “the at least one illumination time parameter” as claimed) (see paragraph [0029], lines 1-4; page 5, left column, line 6).

With respect to claim 10, Brenner et al. discloses that the at least one illumination time parameter comprises a plurality of illumination time parameters (which includes the relative start times and relative end times; see paragraph [0029], lines 1-4; page 5, left column, line 6), wherein an illumination time parameter of the plurality of illumination time parameters comprises a time constant (which is a length of the message or duration of the illumination; see

Art Unit: 2821

paragraph [0029], lines 1-4), and wherein the apparatus further comprises a memory device [322] coupled to the processor [302, 324, 328] that maintains the time constant.

With respect to claim 11, Brenner et al. discloses that the illumination time parameter comprises a length of the message (see paragraph [0029], lines 1-4).

With respect to claim 12, Brenner et al. inherently discloses, in paragraph [0029], lines 1-5 and paragraph [0030], lines 4-8, that the processor, when the display screen is illuminated, further receives an instruction to terminate the illumination of the display screen, and in response to receiving the instruction, decouples power from the light source prior to an expiration of the period of time.

With respect to claim 15, Brenner et al. discloses, in Fig. 3, a portable wireless communication device [300], comprising (1) a display screen [104], (2) a light source [L_1, \dots, L_N] for illuminating the display screen [104], and (3) a processor [302, 324, 328] coupled to the light source [L_1, \dots, L_N] that (i) couples power [V^+] to the light source [L_1, \dots, L_N] to illuminate the display screen [104], (ii) determines relative start times and relative end times (or “at least one illumination time parameter” as claimed) (see paragraph [0029], lines 1-4; page 5, left column, line 6) corresponding to a message displayed on the display screen [104], and (iii) maintains a coupling of power (from [V^+]) to the light source for a period of time that is based on the relative start times and relative end times (or “the at least one illumination time parameter” as claimed) (see paragraph [0029], lines 1-4; page 5, left column, line 6), wherein the coupling of power [V^+] to the light source [L_1, \dots, L_N] causes the light source [L_1, \dots, L_N] to illuminate the display screen [104].

With respect to claim 17, Brenner et al. discloses that the at least one illumination time parameter comprises a plurality of illumination time parameters (which includes the relative start times and relative end times; see paragraph [0029], lines 1-4; page 5, left column, line 6), wherein an illumination time parameter of the plurality of illumination time parameters comprises a time constant (which is a length of the message or duration of the illumination; see paragraph [0029], lines 1-4), and wherein the portable wireless communication device [300] further comprises a memory device [322] coupled to the processor [302, 324, 328] that maintains the time constant.

With respect to claim 18, Brenner et al. inherently discloses, in paragraph [0029], lines 1-5 and paragraph [0030], lines 4-8, that the processor, when the display screen is illuminated, further receives an instruction to terminate the illumination of the display screen, and in response to receiving the instruction, decouples power from the light source prior to an expiration of the period of time.

Allowable Subject Matter

6. Claims 6-7, 9, 13-14, 16, and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Prior art fails to disclose or fairly suggest:

- A method for controlling an illumination of a display screen in a portable wireless communication device wherein illuminating a display screen comprises (1) sensing a level of ambient light, and (2) comparing the level of ambient light to an ambient

light threshold; when the level of ambient light is greater than the ambient light threshold, determining to not illuminate the display screen, and wherein illuminating a display screen comprises illuminating a display screen when the level of ambient light is less than the ambient light threshold, in combination with the remaining claimed limitations as called for in claim 6;

- A method for controlling an illumination of a display screen in a portable wireless communication device wherein maintaining the illumination of the display screen comprises (1) sensing a level of ambient light, and (2) comparing the level of ambient light to an ambient light threshold, and when the level of ambient light is greater than the ambient light threshold, terminating the illumination of the display screen prior to an expiration of the period of time, in combination with the remaining claimed limitations as called for in claim 7;
- An apparatus for controlling an illumination of a display screen in a portable wireless communication device further comprises a timer coupled to the processor and wherein the processor maintains the illumination of the display screen for a period of time by determining a time value based on the at least one illumination time parameter, wherein the time value corresponds to the period of time, setting the timer based on the time value, decrementing the timer to produce a remaining time value, and terminating the illumination of the display screen when a remaining time value no longer exceeds zero, in combination with the remaining claimed limitations as called for in claim 9;

- An apparatus for controlling an illumination of a display screen in a portable wireless communication device wherein the apparatus further comprises a light sensor coupled to the processor that senses a level of ambient light and conveys a signal corresponding to the sensed level of ambient light to the processor and wherein the processor further compares the level of ambient light to an ambient light threshold that is maintained in a memory device coupled to the processor, couples power to the light source to illuminate the display screen when the level of ambient light is less than the ambient light threshold, and determines not to illuminate the display screen when the level of ambient light is greater than the ambient light threshold, in combination with the remaining claimed limitations as called for in claim 13;
- An apparatus for controlling an illumination of a display screen in a portable wireless communication device wherein the apparatus further comprises a light sensor coupled to the processor that senses a level of ambient light and conveys a signal corresponding to the sensed level of ambient light to the processor and wherein the processor further compares the level of ambient light to an ambient light threshold that is maintained in a memory device coupled to the processor and, when the level of ambient light is greater than the ambient light threshold, terminates the illumination of the display screen prior to an expiration of the period of time, in combination with the remaining claimed limitations as called for in claim 14;
- A portable wireless communication device wherein the portable wireless communication device further comprises a timer coupled to the processor and wherein the processor maintains the illumination of the display screen for a period of

time by determining a time value based on the at least one illumination time parameter, wherein the time value corresponds to the period of time, setting the timer based on the time value, decrementing the timer to produce a remaining time value, and terminating the illumination of the display screen when a remaining time value no longer exceeds zero, in combination with the remaining claimed limitations as called for in claim 16;

- A portable wireless communication device further comprising a light sensor coupled to the processor that senses a level of ambient light and conveys a signal corresponding to the sensed level of ambient light to the processor, and wherein the processor further compares the level of ambient light to an ambient light threshold that is maintained in a memory device coupled to the processor, couples power to the light source to illuminate the display screen when the level of ambient light is less than the ambient light threshold, and determines not to illuminate the display screen when the level of ambient light is greater than the ambient light threshold, in combination with the remaining claimed limitations as called for in claim 19; and
- A portable wireless communication device further comprising a light sensor coupled to the processor that senses a level of ambient light and conveys a signal corresponding to the sensed level of ambient light to the processor, and wherein the processor further compares the level of ambient light to an ambient light threshold that is maintained in a memory device coupled to the processor and, when the level of ambient light is greater than the ambient light threshold, terminates the illumination

Art Unit: 2821

of the display screen prior to an expiration of the period of time, in combination with the remaining claimed limitations as called for in claim 20.

Citation of relevant prior art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Takase et al. (Pub. No.: US 2003/0162558 A1) discloses a wireless communication device.

Prior art Hama et al. (Pub. No.: US 2002/0039914 A1) discloses a folding communication device.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

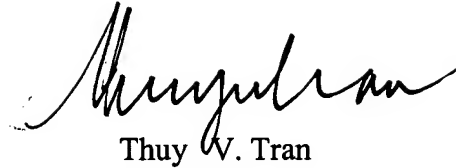
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/608,309

Art Unit: 2821

Page 13

A handwritten signature in black ink, appearing to read 'Thuy V. Tran', written in a cursive style.

Thuy V. Tran

Examiner

Art Unit 2821

08/23/2004